

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Civil Action, File Number: 2:05-cv-1661

Michael J. Liberati	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	PROPOSED JURY
BRT, INC.	:	VOIR DIRE
	:	QUESTIONS
and	:	
	:	
Harold Mast, President	:	
BRT, INC.	:	
	:	
Defendants.	:	

**PLAINTIFF’S PROPOSED JURY VOIR DIRE QUESTIONS**

The plaintiff requests that the following voir dire questions be asked of the prospective jurors in addition to any standard questions asked by the Court.

1. Did any members of the jury panel know one another before assembling for this jury panel? If so, in what way?
2. Have you ever served previously as a member of a trial jury? If so, when and in which court? Was it on a civil or criminal case? Were you allowed to reach a verdict? What was the outcome of the trial? Have you ever served as a foreperson on a jury? Was there anything about your experience on a jury that would make it difficult for you to sit on this jury?
3. Do you know defendant Harold K. Mast? If so, in what way?

4. Do you know anyone who is presently or has been formerly employed by BRT, Inc.? If so, who is it that you know and in what way are you acquainted with that person?
5. Do you know plaintiff Michael J. Liberati or his wife, Deborah? If so, in what way?
6. Do you know John Vanande? If so, in what way?
7. Do you know Jan Thies? If so, in what way?
8. Do you know Jason C. Waters? If so, in what way?
9. Do you know Daniel Lamar Mast? If so, in what way?
10. Do you know Wayne Eugene Lapp? If so, in what way?
11. Do you know Dr. Daniel B. Block, psychiatrist? If so, in what way?
12. Do you know Daniel Robbins? If so, in what way?
13. Do you know any of the attorneys in this case, John Neumann Hickey or Michael J. Croncenzi? If so, in what way?
14. Do you know any attorney that may be associated with the firm Goldberg Katzman located in Harrisburg, Pennsylvania?
15. Do you know any attorney that may be associated with the law firm of John Neumann Hickey in Media, Pennsylvania?
16. This is a case filed by the plaintiff, Michael J. Liberati, claiming that he was illegally discharged in violation of the Americans' with Disabilities Act because he was regarded as disabled by his employers, BRT, Inc., a Pennsylvania Trucking Company. The plaintiff also claims that the defendants violated the Americans' with Disabilities Act when they did not provide him with reasonable

accommodations for his disabilities of Attention Deficit Disorder or ADD/ADHD. The plaintiff claims that the defendants made no attempt to discuss with him any reasonable accommodations that could be made for his disabilities after he requested a quieter place in which to perform his routing and dispatching duties at the BRT, Inc. trucking company. Are any of you familiar with the Americans' with Disabilities Act? Do you know of any cases that have been filed under the Americans' with Disabilities Act? How did you become aware of such cases? What is your opinion with regard to the ADA cases with which you are familiar? Have you formed any opinions about the Americans' with Disabilities Act? If so, what is/are your opinion(s)?

17. Do you or anyone with whom you are familiar suffer from any type of disability or illness? If so, please explain?
18. Are you familiar with the disability of Attention Deficit Disorder or Attention Deficit Hyperactive Disorder? What do you know about these disabilities? How did you become familiar with these disabilities? Do you, a friend or a family member suffer from ADD or ADHD? How was the disability diagnosed? Have you formed any opinions about ADD/ADHD? What are they? Have you formed any opinions about ADD or ADHD that would make it difficult for you to sit impartially on this jury?
19. Do you, a friend or a family member suffer from any type of mental, cognitive or emotional disability, disorder or illness? What is the disability, disorder or illness? What difficulties have you or the person who has the disability, disorder or illness suffered?

20. Have you, a friend or a relative ever visited a psychiatrist? Under what circumstances? What opinions do you hold with regard to psychiatric treatment? Are you aware of the training and education of an M.D. psychiatrist? What about a psychologist?
21. What is your present employment and if you are not presently employed what employment positions have you held in the past?
22. Do you employ other persons? If so, what opinions do you have with regard to the anti-discrimination statutes? Have you ever been accused of violating any of the anti-discrimination statutes? Which ones? What were the circumstances surrounding the accusation(s)?
23. Have you or a friend or relative ever been charged or accused of discriminatory conduct in any court or by any government agency?
24. Are you employed in management? For what company? How many employees do you oversee? What are your opinions with regard to the anti-discrimination statutes?
25. Do you think that some people use the claim of discrimination as an excuse for their own shortcomings? Why?
26. Do you believe that disabled people or people who suffer from various disorders/illnesses complain too much about discrimination? Why?
27. Do you think that it is reasonable and right for a person to be able to request reasonable accommodation when they are disabled or regarded as disabled by their employers? Why? Why Not?

28. Do you think providing reasonable accommodations for employees under the Americans' with Disabilities Act puts too much of a burden on employers? Why? Why Not?
29. If you are an employer have you ever been asked to provide reasonable accommodation to an employee? Describe the circumstances relating to the request. What did you do? Did you feel that you should have been required to provide reasonable accommodation? Why or why not?
30. What social, civic, fraternal or political organizations are you a member of? Have you, a friend or relative, ever belonged to a social, civic, political, or fraternal organization or club that restricts membership? What were the restrictions? Why were you a member? At the time you became involved with the group; did you know of the restrictions?
31. Do you listen to any radio or TV talk programs? If so, who is the host of that program?

Respectfully Submitted,

SIGNATURE CODE: SAZ4759  
s/Sharon Ann Ziegler, Esq.  
SHARON ANN ZIEGLER, ESQ.  
5118 Foxfire Trail  
Kingsport, TN 37664

JOHN NEUMANN HICKEY, ESQ.  
20 West Front Street  
Media, PA 19063

Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I, Sharon Ann Ziegler, Esq., the undersigned and attorney of record for the plaintiff in the case *Liberati v. BRT, Inc. et al.*, Civil Action File No.: 2:05-cv-1661 hereby certifies that a true and correct copy of *Plaintiff's Proposed Jury Voir Dire Questions*, was served on April 14, 2006 via e-mail transmission as agreed by the parties, to the following counsel of record:

Michael J. Crocenzi, Esq.  
Goldberg Katzman  
320 Market Street  
Strawberry Square  
P.O. Box 1268  
Harrisburg, PA 17108-1268

Attorney for Defendants

SIGNATURE CODE: SAZ4759  
s/Sharon Ann Ziegler, Esq.